

Hazardous Waste Management

Follow-up on VFM Section 3.08, *2007 Annual Report*

Background

Hazardous wastes include a broad range of substances such as waste acid, contaminated sludge, photo-finishing and other chemicals, motor oil, and discarded batteries. The Ministry of the Environment (Ministry) is responsible for ensuring that hazardous waste is collected, stored, transported, treated, and disposed of with due regard for the environment and public health. Excluding household hazardous waste, Ontario produces approximately 400,000 tonnes of hazardous waste annually. In the 2008/09 fiscal year, the Ministry spent \$16.1 million (\$14.6 million in 2006/07) on its Hazardous Waste Management Program.

During our 2007 audit, we found that, partly owing to continuing problems with a computer system implemented in 2002, the Ministry did not yet have adequate monitoring and inspection procedures in place to ensure compliance with legislation and regulations aimed at protecting the environment from the risks posed by hazardous wastes. The system's weaknesses limited the ability of staff to monitor effectively the volume of hazardous waste activity in the province and contributed to many of the following concerns:

- We identified more than 5,000 organizations that registered as hazardous waste generators

in 2004 but not in 2005. Yet the Ministry had not determined whether these organizations were still generating hazardous waste and properly disposing of it.

- Certificate-of-approval applications from hazardous waste carriers and receivers that want to establish or expand a facility are reviewed by the Ministry to ensure that applicant operations will not adversely affect the environment. As of January 2007, we found that 50% of the applications remaining to be processed had been in the assessment stage for more than a year, and 20% for more than three years.
- In 2005, there were more than 26,000 shipments of hazardous waste where the quantity received was less than the quantity shipped by the generator. The difference was greater than 10% in half these shipments, with no explanation or follow-up regarding the discrepancy. Consequently, there was a risk that significant amounts of hazardous waste were not being disposed of properly.
- We identified almost 900 registered hazardous waste generators that apparently had not shipped any hazardous waste for the last three consecutive years as evidenced by the absence of manifests, which must accompany all shipments of hazardous wastes. The absence of manifests could indicate that hazardous

wastes were being shipped and disposed of inappropriately if they were not being accumulated on-site.

- As of April 2007, the Ministry held \$150 million in financial assurance from over 700 carriers and receivers of hazardous wastes. Financial assurance is required to ensure that the government does not end up paying for hazardous waste cleanup. However, the financial assurance collected is often inadequate. For example, one chemical company provided financial assurance totalling \$3.4 million for a landfill site, but the site experienced problems with leakage, and cleanup costs have been estimated at \$64 million.
- Although the Ministry performed a significant number of inspections of hazardous waste generators, carriers, and receivers, its selection of facilities for inspection was often not based on risks posed to the environment. In the last five years, at least, the Ministry had performed no inspections at 11 of the 30 largest hazardous waste-generating facilities in the province. In addition, ministry inspectors found a significant level of repeat non-compliance, but had given the repeat violators more severe penalties only 20% of the time.

We made a number of recommendations for improvement and received commitments from the Ministry that it would take action to address our concerns.

Status of Recommendations

According to information received from the Ministry, action has been taken on all of the recommendations made in our *2007 Annual Report*, with substantial progress being made on many of them. The status of actions taken on each of our recommendations is as follows.

HAZARDOUS WASTE MANAGEMENT OPERATIONS

Registration of Hazardous Waste Generators

Recommendation 1

To ensure that all hazardous-waste-generating facilities are registered as required, the Ministry of the Environment should:

- *consider implementing deterrents to encourage generators to register by the legislated deadline and help reduce the significant volume of non-compliance; and*
- *inform district offices of all generators that do not register by the legislated deadline and follow up to ensure that they either register or no longer generate hazardous waste.*

Status

The Ministry informed us that it had introduced a series of procedures to ensure that all unregistered generators receive adequate deadline notifications and, if necessary, timely follow-up: three months prior to the registration deadline, the Ministry sends notices to generators reminding them of the legislated registration deadline. Subsequent to the deadline, the Ministry sends notices to unregistered generators notifying them that their registration has expired and that, if they generate any hazardous waste that requires shipping or disposal, they will be out of compliance.

The Ministry informed us that the current Hazardous Waste Information Network (HWIN) system generates exception reports, which list all shipments originating from unregistered generators or handlers not authorized by their certificates to handle hazardous waste. In March 2008, the Ministry implemented a new process where a dedicated staff member follows up on all exception reports. A standard operating procedure was created to assist ministry staff in this follow-up process. It outlines the steps to take to identify and follow up on cases of non-compliance of a generator, carrier, or receiver. If compliance cannot be achieved through

this process, the exception report is provided to the district office so it can conduct a site visit. The exception reports resulting from generators account for approximately 94% of all exception reports of generators, carriers, and receivers. The Ministry indicated that, by the end of April 2009, more than 80% of these exception reports had been followed up on and resolved.

As an additional compliance measure for unregistered generators that ship waste, in April 2008, the Ministry sent out a letter to all carriers of hazardous waste that were actively transporting waste as documented in HWIN in 2007. The letter reminded the carriers that picking up hazardous waste from unregistered generators is a violation of the regulation and their certificate of approval. In April 2009, a similar letter was sent to all active carriers of hazardous waste that were actively transporting waste as documented in HWIN in 2008.

The Ministry indicated that there were discussions on imposing financial deterrents and penalties to encourage generators to register by the legislated deadline in order to help reduce the volume of non-compliance. At the time of our follow-up, a final decision had not been made.

The Ministry also indicated that, in May 2009, it began sending “potential violation letters” to expired generators giving them 30 days to register their site or close their accounts, after which time compliance action would be taken, which may include referral to the Investigations and Enforcement Branch of the Ministry. When these letters were mailed out, district offices were notified of the unregistered companies located in their geographical area so they could follow up on them.

Certification of Hazardous Waste Carriers and Receivers

Recommendation 2

To help ensure that certificates of approval are in place for all carriers and receivers of hazardous waste and that certificate applications are properly assessed

and approved on a timely basis, the Ministry of the Environment should:

- *implement procedures to ensure that all carriers and receivers of hazardous waste are holders of the legally required certificates of approval;*
- *ensure that all required documentation has been submitted and is on file before issuing a certificate;*
- *consider options for the submission of independent third-party evidence that application proposals comply with legislation and adequately protect the environment, as is done for other environmentally sensitive programs such as mines and forestry;*
- *enhance the functionality of the Integrated Divisional System to interface with other program systems and to distinguish hazardous waste certificates from other program certificates; and*
- *include all existing certificates and reporting requirements in its management information system.*

Status

In March 2008, the Ministry implemented a new process where a dedicated staff member follows up on all exception reports on carriers and receivers. These exception reports are generated by the HWIN system and identify all carriers and receivers without a valid certificate of approval. If this follow-up does not result in compliance, the exception report is provided to the district office so it can conduct a site visit and/or an inspection.

The Ministry informed us that, in addition, hazardous waste carriers and receivers had been added to the annual inspection plan to ensure that they are operating within the conditions of their certificate of approval. Subsequent to our 2007 audit, the Sector Compliance Branch and the Investigations and Enforcement Branch of the Ministry conducted sampling on carriers to verify the contents of vehicles that transport hazardous waste, and the Sector Compliance Branch now includes vehicle inspections in its annual work plans.

The Ministry informed us that it had rearranged the Application Processing Unit into specific groups by types of applications (air, water, wastewater, and waste) to better screen out incomplete applications.

The Ministry also updated the certificate-of-approval application guidance document and the application form. The updated guidance document clarifies what documents are required when an application is submitted. The updated application form is an interactive e-form that provides a list of supporting documentation required based on the type of application that is being submitted. If an applicant does not complete all mandatory fields, the application form will indicate that the application is incomplete. In March and April 2009, the Ministry also published sample application packages to illustrate the expected format and content of the application forms.

The Ministry informed us that, at the time of our follow-up, third-party submissions had become a mandatory component in the application process for a comprehensive certificate of approval for non-hazardous waste disposal. The Ministry was considering extending this type of certificate to hazardous waste sites. The Ministry also stated that it would continue to look for ways to capitalize on the use of submissions of independent third-party evidence that indicates application proposals comply with legislation and adequately protect the environment.

The Ministry informed us that upgrades had been made to the Integrated Divisional System to enable more comprehensive description and characterization of waste disposal sites by type (landfill or processing site) and by the type of wastes (hazardous or municipal waste) that are managed. This enhancement allows better tracking, reporting, and responding to waste disposal site applications. In November 2007, the Ministry upgraded the Integrated Divisional System to send out automatic email notifications to the local district office whenever the Approval Branch decides to issue, return, or revoke an application for a hazardous waste certificate of approval.

We were informed that, in 2007, the Ministry reviewed the HWIN database and identified those sites that had received hazardous waste. All sites identified through HWIN were cross-referenced to the Integrated Divisional System and were added to the Integrated Divisional System if the site was not previously entered. The Ministry also indicated that improvements have been made to increase the ability of the Integrated Divisional System to track whether a company has provided the appropriate amount of financial assurance and identify when a financial-assurance reassessment is due.

Monitoring Hazardous Waste Shipments

Recommendation 3

To ensure that hazardous waste shipments are properly monitored to minimize risk to the public and the environment, the Ministry of the Environment should:

- *follow up on all significant waste shipments that originate with unregistered generators;*
- *investigate all hazardous waste carriers and receivers that are not authorized by their certificates of approval to handle the hazardous waste manifested;*
- *review all registered generators with no manifest activity for extended periods of time to ensure that they are not involved in unauthorized waste shipment and disposal;*
- *investigate significant discrepancies between the amount of hazardous waste shipped and the amount received; and*
- *implement procedures to ensure that hazardous waste temporarily stored at a receiving facility is not double-counted in determining the total hazardous waste produced in Ontario each year.*

Status

In March 2008, the Ministry implemented a new process where a dedicated staff member follows up on all generator, carrier, and receiver exception reports. As of April 23, 2009, a total of 4,747 exception reports for generators, carriers, and receivers had been generated, and more than 3,800

of them had been closed. The centralization of the exception report follow-up process has allowed for consistent and timely resolution, and resulted in a 34% decrease in exception reports in comparison to the previous fiscal year.

The Ministry indicated that, in order to investigate all hazardous waste carriers and receivers that are not authorized by their certificates of approval to handle the hazardous waste manifested, based on the centralized exception report, inspections of these carriers and receivers took place where necessary to verify if the manifested waste corresponds to that on the certificate of approval.

Among the receiver exception reports, the majority of them are due to incorrect waste class information provided on the paper manifest by the generator. The Ministry has instructed receivers to ensure that all manifested waste has been properly documented on the manifest.

Carriers that are found to be transporting hazardous waste not approved within their certificate of approval are contacted and instructed to apply for a certificate-of-approval amendment if they intend to continue to transport the hazardous waste in question. If companies continue to operate outside of their certificate of approval, a provincial officer can issue an order to them to cease operations until an amended certificate of approval is issued or an agreement to cease transportation of the hazardous waste in question has been reached. If companies continue to transport the material in contravention of an order, penalties will be levied.

To ensure that registered generators with no manifest activity for an extended period of time are not involved with unauthorized waste shipment and disposal, the Ministry has reviewed and followed up on companies with no manifest activity to ensure that waste is being disposed of properly.

The Ministry also indicated that it has followed up with companies where manifest discrepancies were occurring and found that discrepancies occur because generators simply estimate the amount of waste they ship, and the waste is only weighed at the receiving site. The manifest document does

not require actual weight, and the current regulation only requires the receiver to track the amount of waste on a daily or weekly basis. The Ministry noted that approximately 60% of these weight discrepancies were found in the medical industry. To follow up on the discrepancies, from October 2007 to January 2008, the Ministry has completed 46 inspections of hospitals in Ontario for compliance in handling biomedical waste. There was no evidence of waste being lost in transit.

To prevent double-counting of hazardous waste temporarily stored at a receiving facility, the Ministry has developed a procedure to produce reports on hazardous waste shipped that excludes waste shipped from receiving facilities with temporarily stored waste.

Storage and Disposal of Hazardous Waste

Recommendation 4

To help reduce the substantial risk that the disposal and storage of hazardous waste pose to the public and to the environment, the Ministry of the Environment should develop a strategy to resolve the concerns that have delayed regulatory amendments designed to reduce the risks posed by medical waste and PCBs.

Status

The Ministry informed us at the time of our follow-up that the guideline on the management of biomedical waste in Ontario was being updated. In October 2008, the Ministry posted a revised version of the guideline to the Environmental Registry for a 60-day public comment period, which closed on December 22, 2008. At the time of our follow-up, stakeholder comments were being analyzed and additional stakeholder consultations were taking place. The Ministry indicated that the revised guideline would be completed and posted to the Environmental Registry.

The Ministry told us that it was actively addressing the removal of PCBs from the Pottersburg PCB storage site, the largest PCB storage site in Ontario. In February 2009, the Ministry engaged

a contractor to decommission and restore the Pot-
tensburg site. The decommissioning and restoration
of the site was expected to be completed by the end
of 2010.

Household Hazardous Waste

Recommendation 5

To build on its recent initiatives for the disposal of household hazardous wastes, the Ministry of the Environment should work with Waste Diversion Ontario and municipalities on a province-wide strategy for reducing the impact of household hazardous waste on the environment.

Status

In December 2006, the Ministry directed Waste Diversion Ontario (WDO) to develop an industry-funded diversion program plan, called the Municipal Hazardous or Special Waste (MHSW) Program, to enhance the proper management of MHSW. The program addresses both the collection of unused material as well as consumer education regarding proper handling and use of it. The program was received and posted on the Environmental Registry for a 30-day public comment period on June 11, 2007. At the time of our follow-up, the Ministry indicated that Phase I of the MHSW Program was approved by the Minister in February 2008. The industry has developed and managed the program since July 2008 and it was officially launched in January 2009. The goal of the program is to divert common hazardous consumer products, such as paints and solvents, from being disposed of in landfills or sewers.

We were informed that, at the time of our follow-up, WDO and Stewardship Ontario were developing program plans for phases II and III of the program, and would submit a consolidated program plan for all three phases to the Ministry by the end of July 2009. Phase II is to include additional MHSW materials not included in Phase I. The final phase, Phase III, is to include the remaining MHSW materials that meet the municipal hazardous waste definition. The Minister's approval for the consoli-

dated MHSW program plan will be required before it can commence.

INFORMATION AND REPORTING SYSTEMS

Hazardous Waste Information System

Recommendation 6

To ensure that management and inspection staff have reliable and relevant information for monitoring whether hazardous waste is transported and disposed of in accordance with legislation, the Ministry of the Environment should:

- *identify its key information needs;*
- *consider how other jurisdictions obtain similar information; and*
- *formulate a business case that outlines the cost and benefits of various alternatives to meeting its information requirements.*

Status

To ensure that management and inspection staff have reliable and relevant information to monitor the transportation and disposition of hazardous waste, the Ministry had identified its information needs and, at the time of our follow-up, was developing a multi-year project plan for a new business architecture and system solution to support the hazardous waste program. The project plan is to explore alternative means to improve information management.

The Ministry indicated that it had collected information on how other leading jurisdictions collect and manage hazardous waste information. The research on other jurisdictions revealed that Ontario is a leader in many aspects of its hazardous waste program. Ontario is the only jurisdiction in Canada to require annual registration of hazardous waste generators. Ontario also has the most comprehensive manifesting and verification system and has the first fully electronic information system. The Ministry was intending to update its jurisdictional analysis to include additional jurisdictions by mid-October 2009.

The Ministry reported that it had evaluated the options of enhancing the current system or developing a new system. Upon performing the cost/benefit analysis, the Ministry concluded that the functionality and reliability of a new system would address the public interest and the Ministry's long-term needs. A new system would also be sustained with lower maintenance costs. A new system is to be developed on the current platform with improved reliability, functionality, and flexibility to adapt to regulatory changes.

Measuring and Reporting Program Effectiveness

Recommendation 7

To enhance ministry decision-making and provide the public with information on its success in managing hazardous waste, the Ministry of the Environment should:

- *establish more comprehensive performance measures for hazardous waste management;*
- *review the performance measures for hazardous waste management used by other jurisdictions for applicability to Ontario; and*
- *publicly report on those measures.*

Status

The Ministry informed us at the time of our follow-up that it had identified three performance measures that it was planning to report on publicly in fall 2009. On the basis of the current database, the Ministry was planning to report on the rate of significant non-compliance in the hazardous waste program as determined through inspections, the resolution of exception reports over time, and the number of hazardous waste approvals issued over time.

The Ministry also indicated that a jurisdictional review had been performed to examine the methodology used by other leading jurisdictions to track and report program performance measures. The performance measures that the Ministry was planning to report on are based on a combination of performance measures in other jurisdictions, the Ministry's program and policy, and its ability to

track and report with the information system now in place.

The Ministry told us that it had begun to prepare an annual report on hazardous and liquid industrial waste in Ontario. The report is to be based on the 2008 HWIN data, and is to include performance measures approved for public release. The release of the first annual hazardous and liquid industrial waste report is scheduled for the end of 2009. Further to the annual report, the Spills Action Centre also reports on the number of spills and incidents relating to hazardous waste reported each year. The 2007 Spills Summary Report is publicly available on the Ministry's website.

FINANCIAL ASSURANCE AND REVENUE

Financial Assurance

Recommendation 8

To ensure that the hazardous waste operator, rather than the taxpayer, is responsible for financing cleanup costs from hazardous waste contamination, the Ministry of the Environment should:

- *consider whether all hazardous-waste-management carriers and receivers should be required to provide financial assurance;*
- *collect financial assurance prior to issuing a certificate of approval; and*
- *periodically review whether financial assurance on hand is sufficient to cover potential spills and future costs of cleanup, waste removal, and disposal.*

Status

The Ministry reported that, to ensure that the hazardous waste operator is responsible for financing cleanup costs from hazardous waste contamination, it now requires that every receiver have financial assurance and that every carrier hold \$1 million in liability insurance.

The Ministry also indicated that it now collects financial assurance before a certificate of approval is issued for any site that will receive, transfer, store, or dispose of hazardous waste.

To ensure that the financial assurance on hand is sufficient to cover the potential spills and future costs of cleanup, waste removal, and disposal, the Ministry retained a consultant to research and develop alternatives to the delivery of the financial assurance program. In order to determine the appropriate amount of financial assurance required from the receivers, in November 2007, the Ministry completed a guidance document that provides current cost information for landfill site activities.

We were informed that, as of July 2008, all certificates of approval for privately owned hazardous waste sites have a condition requiring that the amount of financial assurance be reassessed on an annual basis. The Ministry indicated that it had enhanced its computer system to make it a more effective compliance tool to track and follow up on financial-assurance requirements by upgrading the link between the certificate-of-approval and financial-assurance databases. The system now tracks whether a company has provided the appropriate amount of financial assurance and identifies when a financial-assurance reassessment is due.

In March 2009, the Ministry completed a new guidance document for waste transfer and processing and transfer sites. This document should provide ministry reviewers with the necessary information to calculate a more accurate financial-assurance amount for the site and to have a more efficient assessment process.

The Ministry reviewed the certificate of approval for every receiver to assess the adequacy of financial assurance for coverage of potential spills and future costs of cleanup and waste removal and disposal. The Ministry indicated that, through this review, it collected an additional \$9.7 million in financial assurance.

Hazardous Waste Fees

Recommendation 9

To ensure that hazardous waste fees are sufficient to recover program costs, are accurately recorded, and

are collected on a timely basis, the Ministry of the Environment should:

- *review the objectives of the fee structure to ensure that the original objective of fully recovering program costs is still realistic and, if so, assess the adequacy of fees in offsetting program costs;*
- *establish controls to ensure that the Hazardous Waste Information Network (HWIN) reliably identifies unpaid registration fees;*
- *periodically assess the reasonableness of total fees collected as compared to expected fees based on the number of registrations and manifests and the tonnage of hazardous waste disposals;*
- *implement procedures to ensure that all generators certified for on-site disposal submit fees as required; and*
- *enhance the HWIN system so that it can calculate and identify outstanding debt by generator and track the amount of time debt has been outstanding, so that collection efforts can focus on generators with significant balances that have been outstanding for extended periods of time.*

Status

To ensure that hazardous waste fees are sufficient to recover the program costs, are accurately recorded, and are collected on a timely basis, the Ministry conducted research on other jurisdictions, a cost study, and a study of waste generation rates, and, at the time of our follow-up, was reviewing policy options for revised fees. This review was expected to be completed in 2009/10 with a new fee structure proposed for approval and implementation in 2010/11.

In response to our recommendation on establishing controls to ensure that HWIN reliably identifies unpaid registration fees, the Ministry indicated that HWIN now reliably identifies unpaid registration fees for each generator.

The Ministry informed us that it now compares the total monthly outstanding receivables balance to the number of manifests and tonnage. The amounts receivable are periodically compared to

the actual collections to calculate the collection rate. The reasonableness of the collection rate was assessed by comparison to the average collection rate of other government ministries. The Ministry also indicated that steps were being taken to calculate the HWIN collection rate on an annual basis.

We were informed that generators that are certified for on-site disposal are required to report in accordance to the certificate-of-approval conditions. A procedure is in place to calculate and collect on-site disposal fees from generators at the time of re-registration each year. In addition, the Ministry may identify on-site generators through annual inspections. For generators that are found to be disposing hazardous waste on-site without being registered through HWIN or without a proper certificate of approval, compliance action is to be taken to ensure that they are registered in HWIN, have obtained necessary approvals, and have paid the applicable fees.

The Ministry informed us that a new component had been added to HWIN to provide more information on outstanding receivables. The new component provides a breakdown of total amounts receivable and a report to track the amount of time debt has been outstanding per generator. The Ministry advised us that, at the time of our follow-up, it was validating this new reporting component with historical data and working with the vendor to ensure accuracy.

COMPLIANCE

Selection of Facilities for Inspection

Recommendation 10

To enhance the effectiveness of its inspection process, the Ministry of the Environment should ensure that its facility selection process is based on potential risk to the environment by:

- *using the formalized risk-based selection process already developed for the district offices and selecting facilities for inspection based on documented risks;*

- *updating its risk analysis for the Sector Compliance Branch;*
- *including all potential hazardous waste generators, carriers, and receivers in its risk assessment processes; and*
- *ensuring that district and branch co-ordination efforts result in all high-risk facilities being inspected periodically.*

Status

The Ministry informed us that facilities are now selected for inspection using a risk-based selection process, taking into consideration any potential risk to the environment based on their compliance history, approval type, volume and types of wastes, registration status, and exception report history in addition to local district knowledge.

We were also informed that the Sector Compliance Branch had updated its risk analysis framework. The revised framework uses more up-to-date compliance information from the Integrated Divisional System and a revised set of categories that are now in line with seven consequence categories used across the division. The Sector Compliance Branch also uses additional data sources such as HWIN to select sites for inspection.

The Ministry informed us that it typically finds out about companies that have never been registered through incidents reported to the Spills Action Centre, the use of industry databases to identify sectors that could potentially pose high risk for inspection, and the comparison of the industry database with the HWIN database. The Ministry also informed us that, in developing the 2009/10 inspection plan, it had obtained the industry database and compared it to HWIN data to identify companies that were in the industry database under sectors associated with hazardous waste but not registered with HWIN. A subset of these companies was assigned for inspection.

The Investigations and Enforcement Branch also established an Intelligence Unit that is engaged in the hazardous waste sector. In 2008, it carried out an initiative to determine the registration status of

all companies that had registered in the database used prior to HWIN but had not registered in HWIN at the time of the database conversion in 2001. The Investigations and Enforcement Branch found that the majority of the companies were either no longer in business or were no longer required to be registered. We were informed that the remaining companies were registered and in compliance at the time of our follow-up.

The Ministry informed us that, to ensure that district and branch co-ordination efforts result in all high-risk facilities being inspected periodically, the districts and the Sector Compliance Branch were co-ordinating inspection plans so that high-risk and underperforming facilities would be monitored.

Inspections of Hazardous Waste Facilities

Recommendation 11

To ensure that inspections of hazardous waste generators, carriers, and receivers effectively encourage compliance with legislation and policy, the Ministry of the Environment should:

- *develop a consistent approach to rating the level of compliance found during its inspections;*
- *include surprise visits in its district office inspection process;*
- *apply enforcement methods consistent with the degree of non-compliance;*
- *periodically verify the contents and weight of a sample of vehicles that transport hazardous waste;*
- *implement a formal strategy for timely follow-up of non-compliant facilities; and*
- *review its processes to determine what other corrective actions to take to increase the level of compliance within the hazardous waste industry.*

Status

The Ministry informed us that the compliance assessments of the Sector Compliance Branch and the district offices are now aligned. To ensure that enforcement methods are applied consistently with

the degree of non-compliance, the Ministry put in place an informed-judgment matrix. The matrix guides the reviewer to assess the compliance level, and specific follow-up actions are provided for each compliance level.

The Ministry also informed us that it now ensures that the annual inspection programs include both planned inspections and surprise visits for waste generators, carriers, and receivers. In 2008/09, the Ministry hired additional inspectors to increase the ability of the district offices to conduct surprise visits after normal business hours.

The Ministry advised us that it started a periodic verification of contents by sampling vehicles that transport hazardous waste. The Ministry indicated that it was committed to continue vehicle sampling in 2009/10 to verify whether or not the contents being transported match the waste description provided on the associated manifest. In 2008/09, all samples analyzed matched the description provided on the associated manifest.

We were informed that, in May 2007, the Ministry implemented a formal strategy for timely follow-up of non-compliant facilities. It issued a compliance policy for applying abatement and enforcement tools. This policy provides guidance in the selection of abatement and enforcement tools to address violations of ministry legislation.

The Ministry informed us that, to ensure that corrective actions are in place to increase the level of compliance within the hazardous waste industry, it developed a centralized exception report that identifies common issues of non-compliance for follow-up with corrective action. In addition, in May 2008, the Ministry distributed a letter to all active carriers reminding them that picking up from unregistered generators is a contravention of the regulation and their certificate of approval. The Ministry indicated that, although this letter served as a reminder, it also helped reduce the level of non-compliance significantly. In April 2009, a similar letter was again distributed to all active carriers, along with information on the proper manifesting process for several types of hazardous waste.